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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

BLAINE JOHNSTON,)	Case No. C06-02297 SBA
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER SUBSTITUTING VICKIE
v.)	GORGONE, TRUSTEE OF THE BLAINE
)	JOHNSTON FAMILY TRUST, FOR
SOFTWARE HOUSE INTERNATIONAL,)	PLAINTIFF BLAINE JOHNSTON
INC.,)	
)	
Defendant.)	

NOW COME the parties by and through their counsel, and hereby stipulate to substituting Vickie Gorgone, Trustee for The Blaine Johnston Family Trust, as the plaintiff in this matter for the following reasons:

1. On February 20, 2007, plaintiff's counsel was notified that the plaintiff, Blaine Johnston, had died on that date. Plaintiff's counsel notified defendant's counsel on that same date;

2. On March 12, 2007, plaintiff's counsel filed a Statement Regarding Death of the Plaintiff with this Court, pursuant to Federal Rule of Civil Procedure 25. The parties, by and through their counsel, also filed a stipulation on March 12, 2007 to request that the Court vacate all dates in the Case Management Order and stay all actions in the matter due to plaintiff's death, until the probate court had ruled on whether this case was an asset of the trust plaintiff had established prior to his death;

3. On March 19, 2007, this Court vacated the dates in the Case Management Order and ordered that all actions in the case be stayed, and ordered that plaintiff's counsel inform the Court as soon as the probate court had ruled on the matter;

4. On May 15, 2007, the probate court ordered that this case, *Johnston v. Software House International, Inc.*, is an asset of The Blaine Johnston Family Trust, and is subject to the management and control of the Trustee of The Blaine Johnston Family Trust, Vickie Gorgone.

THEREFORE, IT IS HEREBY STIPULATED between the parties to the above case by and through their attorneys of record that Vickie Gorgone, Trustee of The Blaine Johnston Family Trust, is hereby substituted for the plaintiff, Blaine Johnston.

DATED: June 5, 2007

Respectfully submitted,

SIEGEL & LEWITTER

By: /s/

Jody I. LeWitter
Latika Malkani
Sarah C. Beard

Attorneys for Plaintiff,
Blaine Johnston

DATED: June 5, 2007

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

By: /s/

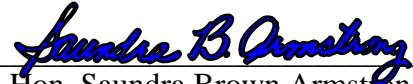
Alisa H. Reff

Attorneys for Defendant,
Software House International, Inc.

ORDER

This matter having come before the Court on the attached stipulation of the parties, it is hereby ordered that Vickie Gorgone, Trustee of The Blaine Johnston Family Trust, is hereby substituted for the plaintiff, Blaine Johnston.

DATED: 6-14-, 2007



Hon. Sandra Brown Armstrong
Judge of the Northern District Court